

JAP:MKP

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

LOUIS BAILEY, also known as,  
“Lewis Bailey,”  
“Polo Brown”  
“William Bailey”  
“Folio Bailey”

AFFIDAVIT AND  
COMPLAINT IN SUPPORT OF  
APPLICATION FOR ARREST  
WARRANT  
(18 U.S.C. § 922(g)(1))

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

Jennifer Cardillo, being duly sworn, deposes and states that she is a Special Agent with the Bureau of Alcohol, Tobacco and Firearms, duly appointed according to law and acting as such.

On or about June 14, 2015, within the Eastern District of New York, the defendant LOUIS BAILEY,, also known as, “Lewis Bailey,” “Polo Brown,” “William Bailey” and “Folio Bailey,” having been convicted in a court of one or more crimes punishable by imprisonment for a term exceeding one year, did knowingly and intentionally possess in and affecting commerce a firearm, to wit, a black and chrome Ruger 9-millimeter semi-automatic pistol, model P89, and ammunition.

(Title 18, United States Code, Section 922(g)(1))

The source of your deponent's information and the grounds for her belief are as follows:<sup>1</sup>

1. I am a Special Agent with the Bureau of Alcohol, Tobacco and Firearms ("ATF") and have been involved in the investigation of numerous cases involving firearms offenses. I am familiar with the facts and circumstances set forth below from review of records of the New York City Police Department ("NYPD") and other Government agencies, and conversations with NYPD officers.

2. On or about June 14, 2015, at approximately 10:00 p.m., a team of NYPD officers were conducting a "buy-and-bust" operation in Brooklyn, New York, in the vicinity of the intersection of Flushing Avenue and Broadway in Bushwick. An undercover officer was sold two oxycodone tablets and notified the supervising officer of the sale and provided a description of the defendant, including that he was wearing a shirt with an American flag on it. Two officers, one who was in a patrol car and one who was in a prisoner van, separately saw the defendant and chased after him. The defendant ran up a set of subway stairs but he was apprehended about halfway up the flight.

3. The defendant was placed under arrest and taken to the 90<sup>th</sup> Precinct for processing.

4. When he was arrested the defendant had two bags with him, including a pink and white T-Mobile bag. Before entering the precinct, the defendant told two officers that he had a gun in the T-Mobile bag, and he repeated this to a third officer as well once inside

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<sup>1</sup> Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

the precinct. The bag was searched and Officer Courtney Thorpe recovered a loaded black and chrome Ruger 9-millimeter semi-automatic pistol, model P89 with eight rounds of ammunition.

5. Based on my knowledge, training and experience, the Ruger 9-millimeter semi-automatic pistol was manufactured outside the State of New York.

6. I have reviewed the defendant's criminal history records and have determined that the defendant has been convicted of the following crimes: on February 14, 2003, in Kings County Supreme Court, the crime of Criminal Possession of a Weapon in the 2<sup>nd</sup> Degree, in violation of New York Penal Law § 265.03; on June 11, 1996, in New York County Supreme Court, of Attempted Robbery in the 3<sup>rd</sup> Degree, in violation of New York Penal Law § 160.05; on March 12, 1997, in Bronx County Supreme Court, of Reckless Endangerment in the 1st Degree, in violation New York Penal Law § 120.25; and on August 27, 1991, in New York County Supreme Court, of Robbery in the 3<sup>rd</sup> Degree, in violation of New York Penal Law § 160.05; all of which are crimes punishable by a term of imprisonment of more than one year.

WHEREFORE, your deponent respectfully requests that the defendant LOUIS BAILEY, also known as, "Lewis Bailey," "Polo Brown," "William Bailey" and "Folio Bailey," be dealt with according to law.

  
Jennifer Cardillo  
Special Agent

Bureau of Alcohol, Tobacco and Firearms

Sworn to before me this  
18th day of June, 2015

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THE HONORABLE VERA M. SCANLON  
UNITED STATES MAGISTRATE JUDGE  
EASTERN DISTRICT OF NEW YORK